



Journal of the House

State of Indiana

115th General Assembly

Second Regular Session

Thirteenth Meeting Day

Monday Afternoon

February 4, 2008

The House convened at 1:30 p.m. with Speaker B. Patrick Bauer in the Chair.

The Speaker read a prayer for health and well-being (printed November 20, 2007).

The Pledge of Allegiance to the Flag was led by Representative Sheila A. Klinker.

The Speaker ordered the roll of the House to be called:

Austin	Hinkle
Avery	Hoy
Bardon	Kersey
Bartlett	Klinker
Battles	Knollman
Behning	Koch
Bell	L. Lawson
Bischoff	Lehe
Blanton	Leonard
Borders	Lutz <input type="checkbox"/>
Borror	Mays <input type="checkbox"/>
Bosma	McClain
C. Brown	Micon
T. Brown	Moses
Buck	Murphy <input type="checkbox"/>
Buell	Neese
Burton	Niezgodski
Candelaria Reardon	Noe
Cheatham	Orentlicher
Cherry	Oxley
Cochran	Pelath
Crawford	Pflum
Crooks	Pierce
Crouch	Pond
Davis	Porter
Day	Reske
Dembowski	Richardson
Dermody	Ripley
Dobis	Robertson
Dodge	Ruppel
Duncan	Saunders
Dvorak	Simms
Eberhart	M. Smith
Elrod	V. Smith
Espich	Soliday
Foley	Stemler
Friend	Steuerwald
Frizzell	Stevenson <input type="checkbox"/>
Fry	Stilwell <input type="checkbox"/>
GiaQuinta	Stutzman <input type="checkbox"/>
Goodin	Summers
Grubb	Thomas <input type="checkbox"/>
Gutwein <input type="checkbox"/>	Thompson
E. Harris	Tincher
T. Harris	Torr <input type="checkbox"/>
Herrell	Turner <input type="checkbox"/>

Tyler
Ulmer ☐
VanDenburgh
VanHaften ☐

Walorski
Welch
Wolkins ☐
Mr. Speaker

Roll Call 165: 87 present; 13 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, February 5, 2008, at 1:30 p.m.

TYLER

The motion was adopted by a constitutional majority.

INTRODUCTION OF BILLS

The following bills were read a first time by title and referred to the respective committees:

SB 86 — L. Lawson, Ulmer
Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 149 — C. Brown, Buell
Committee on Family, Children and Human Affairs
A BILL FOR AN ACT concerning local government.

SB 190 — GiaQuinta, Foley, Battles, Behning
Committee on Agriculture and Rural Development
A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

SB 213 — Stilwell
Committee on Environmental Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

SB 215 — Pierce, Richardson
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning elections and to make an appropriation.

SB 219 — Welch, Crouch
Committee on Labor and Employment
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 221 — C. Brown, T. Brown
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

SB 226 — Crooks, Bell
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

SB 227 — L. Lawson, VanDenburgh, Crouch, Duncan
Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

SB 233 — Welch, Turner
Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 235 — Pierce, Richardson
Committee on Elections and Apportionment

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 241 — Tinch, Dermody
Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

SB 248 — Porter, Behning
Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 249 — C. Brown, T. Brown
Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 250 — Reske, McClain, Borror
Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

SB 263 — Avery, Crawford, Crouch
Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 267 — E. Harris, Dermody, Soliday
Committee on Ways and Means

A BILL FOR AN ACT concerning taxation.

SB 269 — Fry, Murphy
Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 283 — Blanton, Soliday
Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 297 — Stevenson, Saunders
Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 302 — Welch, Frizzell
Committee on Government and Regulatory Reform

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 303 — Micon, Borders
Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

SB 304 — VanHaaften, Koch, Welch
Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

SB 305 — Tyler, Koch
Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 307 — Bardon, Burton
Committee on Small Business and Economic Development

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 314 — Pflum, Gutwein
Committee on Agriculture and Rural Development

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

SB 315 — Hoy, Crouch
Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

SB 316 — Grubb, Friend, Cherry
Committee on Agriculture and Rural Development

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations and to make an appropriation.

SB 329 — Niezgodski, Buell
Committee on Labor and Employment

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

SB 330 — Welch, Turner
Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 334 — Avery, Crouch
Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning local government and to make an appropriation.

SB 336 — C. Brown, T. Brown, E. Harris, Mays
Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 338 — Duncan, Niezgodski
Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 339 — Austin, Saunders
Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 343 — Day, L. Lawson, Koch
Committee on Judiciary

A BILL FOR AN ACT concerning criminal law and procedure.

SB 345 — Niezgodski, Tyler
Committee on Financial Institutions

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 350 — Crawford, C. Brown, Noe

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

SB 352 — Bardon, Burton

Committee on Financial Institutions

A BILL FOR AN ACT to amend the Indiana Code concerning financial institutions.

SB 360 — Grubb, Friend

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

SB 363 — Welch, Foley

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

INTRODUCTION OF JOINT RESOLUTIONS

The following joint resolutions were read a first time by title and referred to the respective committees:

SJR 10 — Ulmer

Committee on Rules and Legislative Procedures

A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Indiana concerning the Constitution of the State of Indiana.

*Be it resolved by the General Assembly
of the State of Indiana:*

SECTION 1. The following amendment to the Constitution of the State of Indiana, which was agreed to by the One Hundred Fourteenth General Assembly and referred to this General Assembly for reconsideration and agreement, is agreed to by this the One Hundred Fifteenth General Assembly of the State of Indiana.

SECTION 2. ARTICLE 1 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED BY ADDING A NEW SECTION TO READ AS FOLLOWS: **Section 38. The people have a right to hunt, fish, and harvest game, which are a valued part of our heritage and shall be forever preserved for the public good, subject to laws prescribed by the General Assembly and rules prescribed by virtue of the authority of the General Assembly.**

RESOLUTIONS ON FIRST READING**House Concurrent Resolution 10**

Representatives Koch, M. Smith, Eberhart, and Buck introduced House Concurrent Resolution 10:

A CONCURRENT RESOLUTION congratulating Tony Stewart on winning the 2007 Allstate 400.

Whereas, Throughout his career Tony Stewart has proven to be a champion every step of the way;

Whereas, Tony Stewart has added another rung to his ladder of success by winning the 2007 Allstate 400;

Whereas, Tony Stewart was born in Columbus, Indiana, and grew up dreaming of racing in the Indianapolis 500;

Whereas, Tony Stewart accomplished this dream and established himself as one of the great names in racing;

Whereas, Tony Stewart began his career at age seven racing go-karts while his father, Nelson, acted as his car owner and crew chief;

Whereas, At eight years old Tony Stewart won his first

championship, a four-cycle rookie junior class championship at the Columbus Fairgrounds;

Whereas, Tony Stewart went on to win the International Karting Federation Grand National championship and the World Karting Association National championship;

Whereas, In 1989 Tony Stewart moved from racing go-karts to racing higher-horsepower, open-wheel machines;

Whereas, Tony Stewart was the United States Auto Club (USAC) Rookie of the Year in 1991, was fifth in the 1993 USAC standings after winning the Hut Hundred, and was the National Midget series champion in 1994;

Whereas, In 1995 Tony Stewart set the racing world on fire by winning the National Midget, Sprint, and Silver Crown titles all in the same year, which was a feat never before accomplished, and earned him a ride in the newly developed Indy Racing League and Rookie of the Year honors in 1996;

Whereas, Tony Stewart won an Indy Racing League championship in 1997 and gained success in his NASCAR career by competing in both the Indianapolis 500 and the Coca-Cola 600 on the same day, driving more than 1,090 miles that day;

Whereas, Tony Stewart began the 1999 NASCAR season on a high note as he qualified in second place for the Daytona 500, his first Nextel Cup race before winning three races and being named NASCAR's Rookie of the Year;

Whereas, In 2002 Tony Stewart won the first of his two NASCAR championships, repeating in 2005 with his second Nextel Cup title;

Whereas, Tony Stewart continues to amaze and astound racing fans everywhere; and

Whereas, A champion in sprint cars, Indy cars, and stock cars, Tony Stewart is an exceptional athlete who gives back to his community in many ways: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:*

SECTION 1. That the Indiana General Assembly congratulates Tony Stewart on his victory in the 2007 Allstate 400 at the Brickyard, wishes him continued success in the future, and thanks him for the many charitable contributions he has made to his state and his country.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Tony Stewart.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Walker.

The House recessed to allow Tony George, President and CEO of the Indianapolis Motor Speedway to present the championship ring to Tony Stewart.

The House reconvened with the Speaker in the Chair.

House Resolution 11

Representative Pelath introduced House Resolution 11:

A HOUSE RESOLUTION honoring Daniel Tompkins.

Whereas, Daniel Tompkins served the community of Trail Creek for 36 years as a member of the Trail Creek Town Board;

Whereas, Daniel Tompkins has worked on many important issues during his tenure on the board, including developing t-ball and baseball programs for the children of Trail Creek, securing drainage improvements, and establishing Nelson Park;

Whereas, Daniel Tompkins became interested in public service when Michigan City administrators opted to cut school bus service to Trail Creek as a cost-saving measure;

Whereas, Because of his leadership on the school bus issue, Daniel was asked to run for the town board; and

Whereas, Volunteers like Daniel Tompkins keep the cities and towns of our nation moving forward and help our communities stay strong and vibrant: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives thanks Daniel Tompkins for his years of dedicated service to his community and wishes him well in all his future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Daniel Tompkins and his family.

The resolution was read a first time and adopted by voice vote.

House Resolution 12

Representative Pelath introduced House Resolution 12:

A HOUSE RESOLUTION memorializing Rebecca Williams.

Whereas, Rebecca Williams died July 21, leaving a void that will be very difficult to fill;

Whereas, Rebecca Williams was a strong advocate for human rights and for young people;

Whereas, As the director of Helping Our People Excel (H.O.P.E.) in Michigan City, Rebecca worked tirelessly to help all children obtain equal rights and provide them with opportunities for a better life;

Whereas, Rebecca Williams worked to ensure that future generations of children would grow up in a world that did not know inequality and bigotry; and

Whereas, Rebecca Williams was a voice for the children when they had none; she provided them with hope for a future when things appeared bleak; she will be greatly missed: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives expresses its deepest sympathy to the family of Rebecca Williams and its sincerest appreciation for the wonderful work and support she provided the children of our state.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the family of Rebecca Williams.

The resolution was read a first time and adopted by voice vote.

House Resolution 13

Representative VanDenburgh introduced House Resolution 13:

A HOUSE RESOLUTION recognizing the 2007 Crown Point 8 and Under Girls Softball Team.

Whereas, Softball began indoors on Thanksgiving Day in Chicago in 1887 and was moved outside at a Minneapolis, Minnesota, firehouse in 1895 by Lewis Rober Sr. so the firefighters could get some exercise while waiting for an alarm;

Whereas, Women's fast-pitch softball was selected to debut as a medal sport at the 1996 Olympic Summer Games in Atlanta, Georgia;

Whereas, Today softball is a way of life for thousands of people each year;

Whereas, The 2007 Crown Point 8 and Under Girls Softball Team is the 2007 National Softball Association 8 and Under Girls Indiana "C" State Champion with a 7-3 victory over the

Ohio Lady Lasers;

Whereas, The Crown Point Girls 8 and Under Girls Softball Team was also a finalist in the National Softball Association "B" World Series, finishing second to the Ohio Lady Lasers by a score of 5-3; and

Whereas, The members of the 2007 Crown Point 8 and Under Girls Softball Team have once again proven themselves to be true champions and have learned the many valuable lessons that athletics can give our young people, including the value of friendship, sportsmanship, and teamwork: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the members of the Indiana House of Representatives congratulate the members of Crown Point's 2007 8 and Under Girls Softball Team on their state championship and to wish them continued success in their future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to team members Taylor Ard, Kasey Bauner, Lindsay Dault, Melissa Fajman, Vanessa Hekkel, Alexis Holloway, Natalie Klingberg, Morgan Matalin, Stephanie Renner, Holly Riley, Abby Van Prooyen, and Kayla Wright, coaches Dwight Ard, Dave Hekkel, and Seth Holloway, and manager Rick Renner.

The resolution was read a first time and adopted by voice vote.

House Resolution 14

Representative VanDenburgh introduced House Resolution 14:

A HOUSE RESOLUTION recognizing the Crown Point 10 and Under Girls All-Star Softball team.

Whereas, Twelve girls from the same town and league playing at the Class "C" level make up the Crown Point 10 and Under Girls All-Star Softball team;

Whereas, The team has competed in several travel team tournaments as a Class "C" team and has successfully outscored many of its Class "B" opponents;

Whereas, The spunky Crown Point team outscored its opponents in the Monticello Tournament 92-0 to take first place;

Whereas, The Crown Point 10 and Under Girls All-Star Softball team also finished third in the Class "B" State Travel Tournament and ninth out of 29 travel teams in the Class "B" World Series; and

Whereas, Through dedication and hard work the Crown Point Girls 10 and Under All-Star Softball team enjoyed a successful year: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives congratulates the members of the Crown Point 10 and Under All-Star Girls Softball team on their victory and wishes them continued success in their future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to team members Hannah Albrecht, Miranda Elish, Kayla Greep, Rachael Honaker, Katie Howarth, Bobbie Sue McDaniel, Bailey Mores, Jordan Smith, Rachael Suits, and Sarah Tiernan.

The resolution was read a first time and adopted by voice vote.

House Resolution 15

Representative Pelath introduced House Resolution 15:

A HOUSE RESOLUTION memorializing Marlow J. Harmon.

Whereas, Marlow J. Harmon died on January 3, 2007, at the age of 69;

Whereas, Marlow J. Harmon was born to Marvin and Amarylis Harmon in Michigan City, where he became a devoted and lifelong resident;

Whereas, Marlow J. Harmon was married to his loving wife, Gloria, for forty-eight years, and together they raised three sons and one daughter;

Whereas, Marlow J. Harmon served Michigan City for twenty years as a police officer, during which he served his fellow police officers as president of the Indiana State Fraternal Order of Police;

Whereas, Marlow J. Harmon further served his community as a distinguished member of both the Michigan City Common Council and the LaPorte County Commissioners, of which he was president;

Whereas, Marlow J. Harmon also dedicated his time and energy to a number of community organizations including the LaPorte County Civic Democratic Club, Saint Joseph Young Men's Society, and the Moose Family Center 980;

Whereas, For many years, Marlow J. Harmon played a major role in the history of his community while furthering the best principles of local government and keeping the needs of working men and women closest to his heart; and

Whereas, Marlow J. Harmon was a faithful citizen and leader of greater Michigan City and LaPorte county, where he left a positive and lasting impact on his countless friends and neighbors: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives expresses its deepest sympathy to the family of Marlow J. Harmon and its sincerest gratitude for all his contributions to his party and his state.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the family of Marlow J. Harmon.

The resolution was read a first time and adopted by voice vote.

House Resolution 16

Representative Pelath introduced House Resolution 16:

A HOUSE RESOLUTION memorializing Christopher Smith.

Whereas, Christopher Smith passed away on December 28, 2007, at the age of 25;

Whereas, Born on June 20, 1982, Christopher Smith fulfilled his childhood dream when he became a Michigan City police officer;

Whereas, Christopher served the citizens of Michigan City loyally throughout his career;

Whereas, Christopher Smith was a devoted family man and a patriotic American, who was involved in his community and was a member of the Fraternal Order of Police, Dunes Lodge 75, St. Joseph Young Men's Society, Sons of the American Legion, and Skwiat Post 451; and

Whereas, Christopher Smith was a shining example of the dedication to duty and compassion displayed by law enforcement officers throughout our state; these brave individuals make our state a safer, better place in which to live: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives expresses its heartfelt sympathy to the family of Christopher

Smith and relays its gratitude for his dedicated service to the people of Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to his wife, Renee, and his three sons, Tyler, Prestin, and Matthew.

The resolution was read a first time and adopted by voice vote.

House Resolution 17

Representative Stilwell introduced House Resolution 17:

A HOUSE RESOLUTION recognizing the 200th anniversary of the founding of Grandview, Indiana.

Whereas, The town of Grandview, Indiana, rests peacefully along the banks of the Ohio River;

Whereas, Named because of its "grand view" of the Ohio River, Grandview was settled in 1807;

Whereas, The history of Grandview is intertwined with one of the most famous persons in American history - Abraham Lincoln;

Whereas, Abraham Lincoln spent 14 formative years (1816 - 1830) in Spencer County;

Whereas, Grandview is a thriving community that is home to several stores and businesses, including Grandview Aluminum Products, the developers of "Holly Bronze", which is used in plaques, signs, and commemorative items for country stars, movie actors, towns, government agencies, golf courses, and many others, and the Spencer County Fair; and

Whereas, Grandview is a shining example of rural life as it should be: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives extends its congratulations to the citizens of Grandview on the occasion of the 200th anniversary of its settlement.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Grandview town council.

The resolution was read a first time and adopted by voice vote.

OTHER BUSINESS ON THE SPEAKER'S TABLE

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 29 and the same is herewith transmitted to the House for further action.

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 28 and 31 and the same are herewith transmitted to the House for further action.

MARY C. MENDEL
Principal Secretary of the Senate

HOUSE MOTION

Mr. Speaker: I move that Representative Grubb be removed as sponsor of Senate Concurrent Resolution 31, that Representative Avery be substituted as sponsor, and that Representatives Stilwell and Soliday be added as cosponsors.

GRUBB

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 29

The Speaker handed down Senate Concurrent Resolution 29, sponsored by Representatives Grubb and Reske:

A CONCURRENT RESOLUTION commending the Indiana National Guard for its defense of the United States and service to the State of Indiana.

Whereas, The charter for the Indiana National Guard lies in the United States Constitution which designates the Governor as commander-in-chief to provide for the security and well-being of the state's citizens and provides for the Guard to be called into federal service under control of the President of the United States in times of national crisis;

Whereas, The Indiana National Guard traces its history and lineage to 1801, older than the state itself, when volunteer militia companies were organized as protection for pioneers and settlers. Since its inception, members have served the nation in every major conflict since the American Civil War. The state's soldiers and airmen remain trained, ready, and prepared for response in time of state, national, or international emergencies;

Whereas, Forefathers of today's 151st Infantry Battalion fought with General William Henry Harrison at the Battle of Tippecanoe in 1811 when the great Shawnee Chief, the Prophet, was defeated. Indiana militia units have been called to service in the Mexican War, during the Civil War, and the Spanish-American War;

Whereas, In 1916, the entire Indiana National Guard was mobilized for service in World War I with the majority of the new 38th (Cyclone) Division coming from Indiana units. These units were eventually deployed to France where Indiana's 150th Field Artillery Regiment fought with distinction;

Whereas, During World War II, the 38th Infantry Division earned combat streamers for three campaigns in the Southwest Pacific, including spearheading the landings on Luzon in the Philippines that regained the Bataan Peninsula from the Japanese. For that, General Douglas MacArthur christened the 38th as the "Avengers of Bataan";

Whereas, Indiana Air National Guard units were mobilized and served during the Korean War in the early 1950's and the Berlin Crisis in the early 1960's. Company D (Ranger), 151st Infantry, was mobilized during the Vietnam War and earned distinction as one of the most highly decorated combat units of the war;

Whereas, Recently, personnel were called into service in support of Operations Desert Shield/Storm and today men and women of the Indiana National Guard are serving in the Middle East in Operation Enduring Freedom in Afghanistan and Operation Iraqi Freedom in Iraq;

Whereas, Indiana National Guard members, past and present, serve overseas in peacetime operations promoting human rights and goodwill in Germany, Haiti, Hungary, Italy, Kuwait, and South Korea. Guard members also directly assisted the people and government of Slovakia and its role in gaining NATO (North Atlantic Treaty Organization) recognition;

Whereas, The Indiana National Guard, throughout its history, has maintained a forward presence in the state enabling response to the needs of each of our communities and citizens, including providing support to drought-stricken areas, sheltering citizens in time of need, responding to disaster areas, transporting supplies and medical patients, ensuring transportation capabilities and open emergency routes, containing flood waters, assisting with rescue relief and aid to sister states. The Guard stands ready to respond to future crisis, protecting life and property, in times of all natural and man-made disasters; and

Whereas, Indiana is presently the fourth largest Guard state, having an approximate strength of 12,500 men and women, representing every county and social background in the state. The Guard employs approximately 4,000 full-time employees across the state. It has responsibility for twelve billion dollars in infrastructure and brings an annual revenue to the State of Indiana approaching one billion dollars: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly hereby honors the Indiana National Guard and the men and women who serve as members for their commitment to excellence and determination to help those who face crisis or are in need. The Guard members are entrusted to strengthen and ensure the readiness of our State and Nation and we commend them for bringing great credit and an exemplary reputation to the State of Indiana.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to the Indiana National Guard and Adjutant General, Major General R. Martin Umbarger.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 31

The Speaker handed down Senate Concurrent Resolution 31, sponsored by Representatives Avery, Stilwell, and Soliday:

A CONCURRENT RESOLUTION honoring and commending the United States soldiers who bravely served their country in the Vietnam War.

Whereas, On March 19, 1973, thirty-five years ago, 2,500 troops were withdrawn from South Vietnam, ending military involvement in what is to date the longest war in our country's history;

Whereas, Due to the unpopularity of this war, the men and women who survived and the 58,195 brave souls who fought and died were never given the respect and gratitude that they deserved;

Whereas, 1,531 of the names listed on the Vietnam Veterans Memorial Wall are from the great State of Indiana. These men and women were heroes and deserve our thanks for their unselfish devotion to duty; and

Whereas, The Indiana General Assembly recognizes the bravery and service of all those who fought in Vietnam and expresses its gratitude for their willingness to serve our country: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly honors and commends the United States soldiers who bravely served their country in the Vietnam War.

SECTION 2. The Secretary of the Senate is directed to transmit a copy of this resolution to the State of Indiana VFW and the National Headquarters of the American Legion.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 28

The Speaker handed down Senate Concurrent Resolution 28, sponsored by Representative Reske:

A CONCURRENT RESOLUTION honoring the men and women from Indiana who have fallen in Afghanistan and Iraq since January, 2002.

Whereas, Our country was founded on the service of brave men and women who have stepped forward to defend and secure liberty and democracy for all its citizens;

Whereas, This nation owes its very existence to the willingness of its citizens to demonstrate true patriotism and to lay down their lives for these ideals;

Whereas, The men and women of the Armed Forces from Indiana have bravely and honorably fought and given their lives defending the freedom of the United States of America, following in the footsteps of previous generations; and

Whereas, In making this ultimate sacrifice, the men and women of the Armed Forces from Indiana have left behind parents, children, brothers, sisters, and other loved ones: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the General Assembly hereby honors the brave men and women from Indiana who have honorably fought made the ultimate sacrifice in Afghanistan and Iraq since January, 2002.

SECTION 2. That the Secretary of the Senate transmit a copy of this resolution to the family members of the fallen men and women from Indiana.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

The Speaker also saluted the members of the House who have served in our country's military: Representatives Avery, Buell, Crawford, Dobis, Dodge, Espich, Fry, Grubb, E. Harris, Herrell, Hinkle, Kersey, McClain, Pelath, Pflum, Reske, Soliday, Stilwell, and Tincher.

House Concurrent Resolution 11

Representatives V. Smith, Bartlett, C. Brown, Candelaria Reardon, Crawford, E. Harris, Mays, Porter, and Summers introduced House Concurrent Resolution 11:

A CONCURRENT RESOLUTION celebrating Black History Month.

Whereas, Black history has been celebrated by Americans each year since 1926, first as Negro History Week and later as Black History Month;

Whereas, Blacks have been in America since colonial times, but it was not until the 20th century that they were represented in history books;

Whereas, The celebration of Black History Month and the study of black history came into being through the efforts of Dr. Carter G. Woodson;

Whereas, Dr. Woodson's parents were former slaves, and he spent his childhood working in the Kentucky coal mines;

Whereas, Dr. Woodson enrolled in high school at age 20, graduated within two years, and went on to earn a Ph.D. from Harvard University;

Whereas, Dr. Woodson was disturbed to find that history books largely ignored the black American population and mentioned blacks only in ways that reflected the inferior social position they were assigned at the time;

Whereas, Dr. Woodson began the task of writing Black Americans into the nation's history;

Whereas, Through the efforts of Dr. Woodson, several organizations were established as a way to bring national attention to the contributions of black people throughout American history, including the Association for the Study of Negro Life and History, founded in 1915 (now known as the Association for the Study of African American Life and History), the Journal of Negro History (now known as the Journal of African American History), and in 1926, the establishment of Negro History Week;

Whereas, Dr. Woodson chose the second week of February for Negro History Week because it marks the birthdays of two men who greatly influenced the black American population: Frederick Douglass and Abraham Lincoln;

Whereas, Black History Month, celebrated in February, acknowledges the achievements of blacks in the military, the arts, civil rights, education, entertainment, history, law, literature, medicine, music, politics, science, sports, and other areas;

Whereas, Black History Month aims to bridge the gap created by American history's failure to accurately acknowledge, portray, and record the contributions and inventions of blacks; and

Whereas, Black Americans reflect a legacy of courage and dedication that has helped to guide our nation's success and prosperity: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:*

SECTION 1. That the Indiana General Assembly acknowledges the many contributions and accomplishments of black Americans throughout the history of the United States and Indiana.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Rogers, S. Smith, Howard, and Breaux.

OTHER BUSINESS ON THE SPEAKER'S TABLE

Reassignments

The Speaker announced the reassignment of Engrossed Senate Bill 329 from the Committee on Labor and Employment to the Committee on Judiciary.

HOUSE MOTION

Mr. Speaker: I move that Representative Goodin be added as cosponsor of Engrossed Senate Bill 157.

C. BROWN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Buck be added as cosponsor of Engrossed Senate Bill 175.

AUSTIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Buck be added as cosponsor of Engrossed Senate Bill 208.

E. HARRIS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Crouch be removed as cosponsor of Engrossed Senate Bill 219.

WELCH

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Soliday, the House adjourned at 2:45 p.m., this fourth day of February, 2009, until Tuesday, February 5, 2008, at 1:30 p.m.

B. PATRICK BAUER

Speaker of the House of Representatives

CLINTON McKAY

Principal Clerk of the House of Representatives